



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

**Amended First Account and Report of Conservator, Petition for Allowance of Fees
 for Attorney**

DOD: 05/05/09		PAT MIRANDA , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: CONTINUED FROM 09/24/12 As of 10/30/12, nothing further has been filed and the following comments remain: 1. Need Order. 2. The Petition states that the accounting presented covers the period from 08/22/03 – 07/22/07; however, the Schedule 1 "Receipts" ends on 12/06/06 and Schedule 2 "Cash Disbursements" ends on 12/15/06. 3. Schedule 2 "Cash Disbursements" reflects several debits for overdraft and NSF fees totaling \$177.00. The Court may require further information and/or explanation of these debits. 4. The Court may require further information regarding the following disbursements listed on Schedule 2 "Cash Disbursements": a. 04/20/04 – Reimbursement to Pat Miranda for carpet for conservatee's room - \$1,700.00 b. 05/22/04 – Down payment on El Camino - \$1,000.00 c. 12/15/04 – Room and Care to Pat Miranda - \$1,200.00 (monthly room and care charges were usually \$400.00, why the increase in this month?) d. 12/04/06 – Room and Care to Pat Miranda - \$400.00 (Payments of \$1,224.00 began on 05/25/06 (and continued monthly through the end of the accounting presented) to Country View Alzheimer's Care. Why is the conservatee paying Country View and Room and Care to Pat Miranda in December 2006?) Note: The Petition indicates that the conservatee died on 05/05/09, this account only covers the period from 08/22/03 – 07/22/07. Need accounting for period of 07/23/07 – 05/05/09 and an accounting for the period subsequent to the date of death pursuant to Probate Code § 2620(b). If this petition is granted, a status hearing will be set as follows: • Friday, December 7, 2012 at 9:00 am in Dept. 303 for filing of the Final Account
		Account period: 08/22/03 – 07/22/07	
Cont. from 092412		Accounting - \$71,689.37	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$15,081.52	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$46.35	
<input type="checkbox"/>	Inventory	Conservator - waives	
<input type="checkbox"/>	PTC	Attorney - \$2,000.00	
<input type="checkbox"/>	Not.Cred.	(ok per Local Rule)	
<input checked="" type="checkbox"/>	Notice of Hrg	Petitioner states that there are no assets remaining in the estate and requests that the Conservatorship be terminated.	
<input checked="" type="checkbox"/>	Aff.Mail	Petitioner requests an Order:	
<input type="checkbox"/>	Aff.Pub.	1. Approving, allowing, and settling the amended first account; and	
<input type="checkbox"/>	Sp.Ntc.	2. Authorizing payment of attorney's fees.	
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order	x	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Atty Shahbazian, Steven L.

Atty Kruthers, Heather H

(1) Fourth and Final Account and Report of Conservator and (2) Petition for Fees

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Hearing vacated and rescheduled to 11/29/12 per minute order dated 10/25/12.</p>
Cont. from		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	
		Reviewed by: KT
		Reviewed on: 10/29/12
		Updates:
		Recommendation:
		File 2 - Parks

(1) First and Final Account and Report of Administrator and Petition for Settlement and (2) For Allowance of Compensation to Administrator for Ordinary Services and Attorney for Ordinary and Extraordinary Services and (3) for Final Distribution of An Insolvent Estate

DOD: 11-14-04		CLAYTON MASTERS , Son and Administrator with Full IAEA without bond, is Petitioner. Account period: 11-14-04 through 7-31-12 Accounting: \$165,952.87 Beginning POH: \$165,300.00 Ending POH: \$13,710.26 (cash) Administrator (Statutory): \$3,326.11 Attorney (Statutory): \$3,326.11 Attorney (Extraordinary): \$5,285.73 (for legal services in connection with the sale of the real properties, including consultation with DHS regarding their objection to the sale. Costs (Reimburse Administrator): \$1,772.31 (filing fees, publication, probate referee, certified copies) Petitioner states that after payment of the above administrative expenses, the estate is insolvent and there are no assets to pay any creditor's claims or distribute to heirs. Petitioner requests an order that: 1. Administration be brought to a close; 2. The account be settled, allowed and approved as filed; 3. All acts and proceedings of Administrator be confirmed and approved; 4. Authorizing payment of the statutory and extraordinary compensation and reimbursement of costs; and 5. Distribution of any other property not now known or discovered to the creditors, then to heirs Clayton Masters and Brent Masters.	NEEDS/PROBLEMS/COMMENTS:	
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			7-17-07
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			

Reviewed by: skc

Reviewed on: 10-31-12

Updates: 11-2-12

Recommendation:

File 3 - Masters

Petition for Order Terminating Probate Proceeding and Discharging Personal Representatives

DOD: 09/14/09		WILLIAM SPURGEON and ROBERT SPURGEON, Co-Executors, are Petitioners. Petitioners state: <ol style="list-style-type: none"> Petitioners were appointed Co-Executors and Letters were issued on 08/27/10. The sole purpose of the probate proceeding was to probate the funds held in an IRA account at Wells Fargo owned by the Decedent. The Decedent's two sons (Petitioners) are the sole beneficiaries of the estate. After Letters were issued, Petitioners discovered that Decedent's IRA was set up so that it could be distributed to the beneficiaries without a probate proceeding, the funds were in fact distributed. Since the IRA account was the only asset of the estate, and it has already been distributed, there is no need for a probate proceeding. Petitioners, as the sole beneficiaries of the estate waive an accounting and agree to terminate the probate proceeding. Petitioners pray for an Order: <ol style="list-style-type: none"> Terminating the probate proceeding in its entirety without the need for an accounting; and For an order discharging Robert Spurgeon and William Spurgeon as personal representatives of the estate. 	NEEDS/PROBLEMS/COMMENTS: Note: The personal representatives may only be discharged upon filing of an Ex Parte Petition for Final Discharge and Order. The Examiner has interlineated the Order to reflect this.	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: JF		
		Reviewed on: 10/30/12		
		Updates:		
		Recommendation:		
		File 4 - Spurgeon		

Age: 42		<p>JUSTINE SEREFINE, mother, was appointed Conservator of the Estate on 08/08/11 and Letters were issued on 08/10/11.</p> <p>Account period: NO PROBATE ACCOUNTING PRESENTED</p> <p>Accounting – NO PROBATE ACCOUNTING PRESENTED</p> <p>Conservator – NOT ADDRESSED</p> <p>Attorney - NOT ADDRESSED</p> <p>Declarant states that the Conservator has received billing statements from the Court Investigator's Department dated 09/04/12, 06/15/12, and 05/23/12 seeking payment in the amount of \$400.00 for Investigation No. 1140 and an additional \$400.00 for Investigation No. 1226. Declarant sent a letter to the Court Investigators Department disputing the charges on 03/15/12. Declarant states that, in this case, the conservatee nominated the conservator and attended the hearing. Declarant previously filed a motion to contest the investigator's charges pursuant to Probate Code § 1826(o), which motion was granted on 11/21/11. Probate Code § 1826(p) states, "If the court investigator has performed an investigation within the preceding six months and furnished a report thereon to the court, the court may order, upon good cause shown, that another investigation is not necessary or that a more limited investigation may be performed." Probate Code § 1850(b) further provides that, with respect to ongoing review of conservatorships, "The court may, on its own motion or upon request by any interested party, take appropriate action." Accordingly, the conservator requests that the court order that no further investigations be performed, and that the investigation department cease billing attempts for its investigations, which were unnecessary relative to the needs of the conservatee.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This document does not appear to be a Petition requesting settlement of a Probate Conservatorship Accounting as no Probate Conservatorship Accounting is presented and the document is not verified by the Conservator. The document appears to be a declaration of attorney Randolph Krbechek.</p> <ol style="list-style-type: none"> Need Inventory & Appraisal pursuant to Probate Code § 2610. Declarant has attached a copy of a Dept. of Veterans Affairs Federal Fiduciary Account for the period of 08/08/11 – 08/07/12; however, this one page form does not meet the requirements of the Probate Code. Need accounting meeting the requirements of the Probate Code. (See Probate Code § 1060 et. Seq.; 2620 et. seq.; CRC 7.575, etc.). It appears that the motion contesting investigators charges granted by Minute Order on 11/21/11 pertained to the initial court investigation only and does not pertain to on-going reviews pursuant to Probate Code § 1850(a). Therefore, investigator fees in the amount of \$800.00 are now due and payable to the Court. The Court may make an order regarding the necessity of further investigations upon the filing of a verified Petition requesting such relief. Need Notice of Hearing and proof of service by mail at least 15 days before the hearing to all interested parties Pursuant to Probate Code § 2652. <p>Note: A Status hearing will be set as follows:</p> <ul style="list-style-type: none"> Friday, November 30, 2012 at 9:00am in Dept. 303 for filing of the Inventory & Appraisal and First Account and Report of Conservator
Cont. from			
Aff.Sub.Wit.			
Verified	x		
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail	x		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Atty Perez, Holley H., of Perez Williams Medina & Rodriguez (for Petitioner Robert F. Perez, Conservator)

(1) Petition for Termination of Conservatorship Proceedings, (2) Final Account Current and Report of Conservator and (3) Petition for Settlement and Distribution (Prob. C. 1860, 1861, 2620, 2623, 2625, 2630, 2640 & 2642)

DOD: 1/20/2012		ROBERT F. PEREZ , son and Conservator of the Person and Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. <i>Petition</i> states the Conservatee received money benefits from and the estate includes assets and real property acquired with money from the Veteran's Administration. Need proof of at least 15 days' mailed service of notice to the Office of the Veterans Administration along with a copy of the petition pursuant to Probate Code §§ 1461.5 and 1822(d), or waiver of such notice. 2. <i>Petition</i> does not address whether Conservator compensation and attorney fees are being waived, nor whether Conservator seeks reimbursement of funds advanced by him to the Conservatee during the account period.
Cont. from		Account period: 12/1/2010 – 1/20/2012	
	Aff.Sub.Wit.	Accounting - \$244,855.60	
✓	Verified	Beginning POH - \$175,574.17	
	Inventory	Ending POH - \$184,507.82	
	PTC	Subsequent Account period: 1/20/2012 – 7/31/2012	
	Not.Cred.	Accounting - \$190,193.28	
✓	Notice of Hrg	Beginning POH - \$184,507.82	
✓	Aff.Mail	Ending POH - \$187,532.03 (\$54,282.03 is cash)	
	Vetern Notc	Conservator - Not addressed	
	Sp.Ntc.	Attorney - Not addressed	
	Pers.Serv.		
	Conf. Screen		
	Letters	Petitioner states:	
	Duties/Supp	<ul style="list-style-type: none"> On 5/9/2011, the Tulare County Superior Court approved and settled the <i>First Account and Report of Conservator</i>, and the Conservatorship was transferred to Fresno pursuant to the <i>Order Approving Transfer of Conservatorship Proceedings to Fresno County</i> dated 10/3/2011; 	
	Objections	<ul style="list-style-type: none"> Since the death of the Conservatee on 1/20/2012, Petitioner has pursuant to Probate Code § 2623(a)(5) continued to pay all reasonable expenses incurred for the custody and conservation of the estate; 	
	Video Receipt	<ul style="list-style-type: none"> On 5/24/2012, Petitioner was appointed Executor of the deceased Conservatee's estate in Case #12CEPR00330, and <i>Letters</i> issued on that date; 	
	CI Report	~Please see additional page~	
✓	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 10/31/12
			Updates:
			Recommendation:
			File 6 - Perez

Petitioner states, continued:

- The Conservatee's former residence is located on property in Orosi, CA, that is adjacent to property owned by Petitioner, and the two residential structures were at one time located on the same parcel of land, built close together as they were inhabited by the extended family unit; the Conservatee's structure was the home of the Conservatee prior to 1999 and prior to his moving to the Vintage Gardens assisted living facility in 2009; the other structure now owned by Petitioner was the home of Petitioner's grandparents, the Conservatee's in-laws; the Conservatee resided in the in-laws' home after 2000, and the Conservatee's residential property remained undisturbed and vacant until 2007, when it was rented to the current tenant; from 2001 until 2009, the Conservatee continued to live in the in-laws' home (now Petitioner's property) rent free; both properties are serviced by two different PG&E utility accounts, one of which has an electrical water well pump utility service account designated as an agricultural well pump used to irrigate a small orange tree grove existing on the property; while the Conservatee lived in the property owned by Petitioner, the Conservatee paid both PG&E utility bills from that property, and also paid the PG&E agricultural well pump utility bill for the property that he owned because he was maintaining irrigation to the existing orange trees separate and apart from the tenant's rental of the residential structure on that property; after the Conservatee moved to the assisted living facility, he continued to pay only the PG&E agricultural well pump utility bill for the property that he owned in order to maintain irrigation to the existing orange trees; each check written out of Conservatee's account for PG&E utility bills contains a memo identifying the correct account number;
- The Conservatee's real property residence located in Orosi is currently occupied by and has been occupied by the same tenant since 12/2007, with **\$900.00** per month of rent paid by the tenant; originally the lease agreement was also an option to purchase the property, and the tenant hoped to buy the property but has not yet been able to qualify for financing due to his being unable to work based on health issues and later being laid off from his job; the tenant has been unable to pay the full amount of rent, and Petitioner has been working with the tenant for payment of the past owed rent while continuing to pay current monthly rent;
- Petitioner spent well **over 500 hours** providing service to the Conservatee beyond paying monthly bills, including visits and/or calls to the Conservatee ~2 times per week, transportation for medical care and other purposes, family celebrations, and travel to Los Angeles for family reunion every year; Petitioner also gave to Conservatee from his own funds spending money of **\$2,550.00** [outlined in Petition with dates and amounts of money from Conservator's funds];
- Petitioner marshaled all Conservatorship assets, which was a problem because the Veterans Administration did not recognize the existence of the conservatorship created under California law, and was requiring Petitioner to apply separately to its fiduciary program before allowing Conservatee's benefits to be deposited into Conservatorship bank account without Conservatee personally authorizing such a change, and the Conservatee at that time would not personally authorize his VA benefits to be directly deposited into the Conservatorship account;
- After establishment of the Conservatorship, Petitioner opened a Conservatorship Bank of America account because he wanted a bank that did not contain any of his or his wife's (Attorney Holly Perez) funds or the funds of his law firm; the Conservatee was allowed by Union Bank, where an account had been opened for him by Petitioner for the purpose of continuing automatic deposits of VA benefits until they could be transferred to the Conservatorship account, to make unauthorized withdrawals from the account without the knowledge of or authorization from the Petitioner; Conservatee remembered withdrawing and spending some of the money, but did not remember many of the disbursements and could not remember what the money was actually used for (please refer to Schedule G);

~Please see additional page~

Petitioner states, continued:

- Beginning with 8/2011, Conservatee's VA benefit checks were received at Petitioner's address, which Petitioner periodically deposited into the Bank of America conservatorship account; Petitioner has in his possession the VA benefit checks for Conservatee's 11/2011, 12/2011 and 1/2012 benefits, which were not deposited into the Bank of America conservatorship account because the Conservatee did not sign them prior to his death; *Schedule A Receipts* does not include the 11/2011 and 12/2011 checks because Petitioner is not sure that these checks will be re-issued by VA in the name of the deceased Conservatee's estate; the 1/2012 VA benefit check has not been included in *Schedule A Receipts* because according to the VA rules, Conservatee was not entitled to benefits for the month of his death, and Petitioner believes VA has probably already stopped payment for the 1/2012 benefit check.

Petitioner prays for an Order:

1. Terminating the Conservatorship proceedings;
2. Approving and settling the Final Account and Report, and approving the acts of the Conservator shown in the Account and Report; and
3. Authorizing the Conservator to distribute and transfer all funds and assets of the Conservatorship estate to himself as the court-appointed Executor of the deceased Conservatee's Estate (Case #12CEPR00330).

Age: 73		TEMPORARY EXPIRES 11-5-12		NEEDS/PROBLEMS/COMMENTS:	
		BARNETT SEYMOUR SALZMAN , Proposed Conservatee, is Petitioner and requests that VANCE SEVERIN and TERRI SEVERIN , his brother-in-law and sister-in-law (brother and sister of Petitioner's wife) be appointed as Co-Conservators of the Person with medical consent powers (see below) and of the Estate with bond of \$70,000.00.		<u>Note:</u> The Fresno County Public Guardian was appointed Temporary Conservator of the Person and Estate on 7-5-12. Pursuant to Trial Minute Order 9-25-12, Vance Severin and Terri Severin were appointed Temporary Conservators of the Person and Estate without bond pending this petition.	
		Voting rights NOT affected.		<u>Note:</u> The proposed Conservators live in Chico, CA and in Agoura, CA.	
		Petitioner also requests the Conservators be granted additional powers including the power to list and sell his residence without Court supervision pursuant to Probate Code §2591(c)(2), the power to engage the services of a CPA, the power to negotiate and sign rental contract(s) with an independent living and/or assisted living residential facility for Petitioner and his spouse, subject to approval by Petitioner and his spouse, Stacy Salzman. Petitioner states he is recovering from a stroke which has impacted his ability to communicate. Although he is improving with the assistance of speech therapy, he still requires someone to negotiate and contract on his behalf.		<u>Note:</u> The Court will set status hearings as follows:	
	Aff.Sub.Wit.			<ul style="list-style-type: none"> Friday 12-21-12 for filing of the bond Friday 3-22-13 for filing of the Inventory and Appraisal Friday 3-21-14 for filing of the first account 	
✓	Verified			If appropriate documentation is filed before the status hearing date, no appearance will be necessary.	
	Inventory			<u>Note:</u> The Court may also set a status hearing for accounting by the Public Guardian as prior temporary conservator from 7-5-12 through 9-25-12 pursuant to Probate Code §2256(a) on	
	PTC			<ul style="list-style-type: none"> Friday 3-22-13. 	
	Not.Cred.			SEE PAGE 2	
✓	Notice of Hrg			Reviewed by: skc	
✓	Aff.Mail	W		Reviewed on: 10-31-12	
	Aff.Pub.			Updates:	
	Sp.Ntc.			Recommendation:	
N/A	Pers.Serv.			File 7 - Salzman	
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
✓	Video Receipt				
N/A	CI Report				
	9202				
✓	Order				
		Estimated Value of Estate: Personal property: Unknown Annual income: Unknown Real property: \$180,000.00			
		Petitioner states his net income of approx. \$6,000.00/month is consumed by his monthly expenses. It is believed that his other significant asset, his personal residence, does not have equity as it is encumbered by a first and second mortgage. As a result, the parties have agreed to a bond in the amount of \$70,000.00.			
	Aff. Posting				
	Status Rpt				
	UCCJEA				
N/A	Citation				
	FTB Notice				
		Petitioner states that although he <u>does not</u> lack the ability to give informed consent for medical treatment, he has agreed that the Co-Conservators should be given the power to consent to medical treatment on his behalf pursuant to Probate Code §2355.			

NEEDS/PROBLEMS/COMMENTS:

1. Petitioner requests the Conservators be granted authority to negotiate on behalf of both Petitioner and his spouse, Stacy Salzman. The Court cannot make orders with regard to the spouse. The order has been interlineated to exclude reference to powers on behalf of the spouse Stacy Salzman.
2. Petitioner states his income of approx. \$6,000.00/month (\$72,000.00/year) is consumed by his monthly expenses, and his residence, which will ultimately be sold, has no equity, as it is encumbered by a first and a second mortgage; therefore, the parties agree to a bond in the amount of \$70,000.00.

However, based on the estimated income, Examiner calculates that bond should be at least \$79,200.00, including an amount for cost of recovery pursuant to Probate Code §2320(c)(4) and Cal. Rules of Court 7.207. Examiner also notes that this calculation may be inaccurate due to the unknown value of any other personal property.

The Court may require bond of \$79,200.00 at this time, and will review upon the filing of the first account for adjustment as appropriate.

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820,
1821, 2680-2682)

Age: 23		NO TEMPORARY ORDERS		NEEDS/PROBLEMS/COMMENTS:	
		ANTHONY PINGS & CAROL PINGS,		Court Investigator Advised Rights on 08/10/2012.	
		parents, are petitioners and request			
		appointment as conservator of the			
		person, with medical consent powers.			
Cont. from 082112, 092512		Declaration of Maurice Gillespie, M.D., 06/13/2012.		Voting Rights Affected Need Minute Order.	
	Aff.Sub.Wit.			Continued from 9/25/12. As of 10/31/12 the following issues remain:	
✓	Verified			1. Need Citation.	
	Inventory			2. Need proof of personal service of the citation and a copy of the Petition on the proposed conservatee.	
	PTC			3. Need Confidential Conservator Screening form for each petitioner.	
	Not.Cred.			4. Dr. Gillespie did not initial the Capacity Declaration at #7b as required.	
✓	Notice of Hrg				
✓	Aff.Mail	W/			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	X			
	Conf. Screen	X			
✓	Letters				
✓	Duties/Supp				
	Objections				
✓	Video Receipt				
✓	CI Report				
	9202				
	Order	X			
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation	X			
	FTB Notice				
				Reviewed by: KT / LV /KT	
				Reviewed on: 10/31/12	
				Updates:	
				Recommendation:	
				File 8 - Pings	

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Katie, 4		<u>TEMPORARY EXPIRES 11/05/12</u>		NEEDS/PROBLEMS/COMMENTS:	
Abigail, 8		GEORGE FICKENWORTH , maternal grandfather, is petitioner.		Note: At the hearing re Temporary Guardianship, the mother stated that the children were now residing with a paternal uncle in Vancouver, Washington. The temporary was granted and it was ordered that the children be returned to California by 09/20/12. Mother filed a declaration on 09/20/12 stating that the paternal uncle was refusing to return the children to California.	
		Father: MICHAEL JAY MCGILL			
		Mother: MICHELLE DAWN HARRIS			
		Paternal Grandparents: UNKNOWN			
		Maternal Grandmother: KARRI FRANKS			
Cont. from		Petitioner alleges: Mother has abandoned the children after CPS placed them in petitioner's care. The father is believed to be in jail pending domestic violence charges.			
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
	Notice of Hrg	x			
	Aff.Mail	x			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	x			
✓	Conf. Screen				
	Letters	x			
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
	Order	x			
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				1. Need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for: - Michael Jay McGill (father) - Michelle Dawn Harris (mother)	
				2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for: - Paternal grandparents (unknown) - Karri Franks (maternal grandmother)	
				3. Need Order & Letters.	
				4. Need CI Report and Clearances – CI to provide.	
				Reviewed by: JF	
				Reviewed on: 10/31/12	
				Updates:	
				Recommendation:	
				File 9 - McGill	

DOD: 12/11/11 Cont. from <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;"></td> <td style="width: 40%;">Aff.Sub.Wit.</td> <td style="width: 50%;">s/p</td> </tr> <tr> <td>✓</td> <td>Verified</td> <td></td> </tr> <tr> <td></td> <td>Inventory</td> <td></td> </tr> <tr> <td></td> <td>PTC</td> <td></td> </tr> <tr> <td></td> <td>Not.Cred.</td> <td></td> </tr> <tr> <td>✓</td> <td>Notice of Hrg</td> <td></td> </tr> <tr> <td>✓</td> <td>Aff.Mail</td> <td>w/</td> </tr> <tr> <td></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td></td> <td>Pers.Serv.</td> <td></td> </tr> <tr> <td></td> <td>Conf. Screen</td> <td></td> </tr> <tr> <td>✓</td> <td>Letters</td> <td></td> </tr> <tr> <td>✓</td> <td>Duties/Supp</td> <td></td> </tr> <tr> <td></td> <td>Objections</td> <td></td> </tr> <tr> <td></td> <td>Video Receipt</td> <td></td> </tr> <tr> <td></td> <td>CI Report</td> <td></td> </tr> <tr> <td></td> <td>9202</td> <td></td> </tr> <tr> <td>✓</td> <td>Order</td> <td></td> </tr> <tr> <td></td> <td>Aff. Posting</td> <td></td> </tr> <tr> <td></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td></td> <td>UCCJEA</td> <td></td> </tr> <tr> <td></td> <td>Citation</td> <td></td> </tr> <tr> <td></td> <td>FTB Notice</td> <td></td> </tr> </table>		Aff.Sub.Wit.	s/p	✓	Verified			Inventory			PTC			Not.Cred.		✓	Notice of Hrg		✓	Aff.Mail	w/		Aff.Pub.			Sp.Ntc.			Pers.Serv.			Conf. Screen		✓	Letters		✓	Duties/Supp			Objections			Video Receipt			CI Report			9202		✓	Order			Aff. Posting			Status Rpt			UCCJEA			Citation			FTB Notice		CALIFORNIA BAPTIST FOUNDATION, named Executor without bond, is Petitioner. Full IAEA – OK Will dated 07/20/10 Residence: Fresno Publication: The Business Journal <u>Estimated Value of the Estate:</u> Personal property- \$326,141.51 Annual income - 10,000.00 Total - \$327,141.51 Probate Referee: RICK SMITH	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Status hearings will be set as follows: <ul style="list-style-type: none"> Friday, April 5, 2013 at 9:00am in Dept. 303 for filing of the Inventory & Appraisal; and Friday, January 3, 2014 at 9:00am in Dept. 303 for filing of the Account/Petition for Distribution <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 20px;"> <tr> <td>Reviewed by: JF</td> </tr> <tr> <td>Reviewed on: 10/31/12</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation: SUBMITTED</td> </tr> <tr> <td>File 10 - McNabb</td> </tr> </table>	Reviewed by: JF	Reviewed on: 10/31/12	Updates:	Recommendation: SUBMITTED	File 10 - McNabb
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Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 03/31/12		<p>GREGORY TAYLOR, son, is Petitioner and request appointment as Executor without Bond.</p> <p>Petitioner is a resident of West River, MD.</p> <p>Full IAEA – OK</p> <p>Will dated – NEED</p> <p>Residence: Fresno</p> <p>Publication: The Business Journal</p> <p>Estimated Value of the Estate:</p> <p>Personal property- \$248,446.67</p> <p>Real property - 486,000.00</p> <p>Total - \$734,446.67</p> <p>Probate Referee: RICK SMITH</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Original Will has not been lodged with the Court. Need Original Will pursuant to Probate Code § 8200. Petitioner has attached a copy of a Declaration of Trust dated 08/23/04 to the Petition. Need copy of Will. Need relationship to decedent and date of death of the following persons listed in item 8 of the Petition: <ul style="list-style-type: none"> - Michael Taylor - Gayle Guedel The Petition indicates that Petitioner is a resident of West River, Maryland. The court may require bond if the proposed personal representative resides outside California or for other good cause, even if the will waives bond, pursuant to California Rules of Court 7.201 (b) and Probate Code 8571. Need Letters. <p>Note: If Petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> Friday, April 5, 2013 at 9:00am in Dept. 303 for filing of the Inventory & Appraisal; and Friday, January 3, 2014 at 9:00am in Dept. 303 for filing of the Accounting/Petition for Final Distribution <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>	
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Reviewed by: JF
Reviewed on: 10/31/12
Updates: 11/01/12
Recommendation:
File 11 - Mason

Blake, age 6	GENERAL HEARING 1-3-13	NEEDS/PROBLEMS/COMMENTS:
Cameron, age 3	JAMES KENT MCAVOY and PATRICIA ANNE MCAVOY , Paternal Grandparents, are Petitioners.	<u>Note: There is a presently pending matter involving custody of the children in the Family Court. A Domestic Violence Temporary Restraining Order filed 10-19-12 grants sole legal and physical custody of the two children to the mother with no visitation to the father pending the hearing scheduled for 11-9-12.</u>
	Father: BRIAN MICHAEL WEAVER - <i>Nominates, consents and waives notice</i> Mother: KIANNA MARIE ENCINIAS	Pursuant to Local Rule 7.15.7, if a matter is presently pending in the Family Law Court, a petitioner seeking custody or visitation rights will be instructed to seek joinder in the family law proceeding and request relief from that Court.
<input type="checkbox"/> Aff.Sub.Wit.	Maternal Grandfather: Reynaldo Encinias Maternal Grandmother: Gail Pixley-Ericson	For immediate concerns, Petitioners may wish to call CPS.
<input checked="" type="checkbox"/> Verified	Petitioners state the minor children are believed to reside with the mother; however, their current address is not known to Petitioners. Petitioners have serious concerns with regard to the safety and well-being of the children if they remain in the care of their mother and, due to allegations of domestic violence made by the mother against Petitioners' son (the father), Petitioners believe that taking immediate custody of the children is in their best interest and necessary to protect their health, safety and well-being.	Examiner notes that Attorney Glenn Wilson also represents the father in the family law matter.
<input type="checkbox"/> Inventory	Petitioners state the mother has a history of suicide attempts, suffers from serious mental health conditions has been hospitalized on multiple occasions. Petitioners state the mother takes various medications (list provided) and relies heavily on sleeping medication. Petitioners contend that the mother sleeps so deeply that she is unable to care for the children.	Examiner notes that for general guardianship, an additional assessment and report from DSS pursuant to Probate Code §1513(c) may be required due to the allegations regarding the mother.
<input type="checkbox"/> PTC		
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<input type="checkbox"/> Status Rpt		
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<input type="checkbox"/> FTB Notice		
	SEE ADDITIONAL PAGES	

Petitioners state the mother has passed out with the children in her care on at least one occasion. Their son (the father) returned home and took a photograph, which shows that the children were present (attached).

Petitioners also state the older child has not been sent to school on a regular basis, and that when the younger child was taken to the hospital, Petitioners state the mother requested the doctor write a note for the older child's absences, which the doctor declined.

Petitioners state that in August 2012, the mother called and requested that they pick up Blake, and when they got home at nearly 6:30 pm, the child said all he had to eat all day was a piece of string cheese. Also in August, Petitioners state the father reported that the mother had left a message that she couldn't care for the children, so Allison (Petitioners' daughter) picked them up and provided childcare.

Petitioners state temporary guardianship is necessary to protect the children and that being in the care of the mother is detrimental to the children.

Petitioners' Supplemental Declaration filed 10-26-12 requests that the Court reconsider the request for **immediate** temporary guardianship pending the hearing and provides information regarding a text message from the mother and a printout from the mother's Facebook page, which Petitioners state may indicate that the mother is planning to take the child out of state (attached).

Status Conference

DOD: 12/23/06	JUANITA HARLAN , daughter, was appointed Administrator with full IAEA without bond on 8/28/07 and Letters issued on 11/21/07.	NEEDS/PROBLEMS/COMMENTS:
	Inventory and Appraisal filed 11/2/07 valued the property at \$225,000.00 as of 12/23/06.	CONTINUED FROM 09/10/12
Cont. from 050112, 071012, 091012	On 4/27/11 , the court set a status hearing for failure to file a first account or petition for final distribution.	Minute Order from 09/10/12 states:
Aff.Sub.Wit.	Status Report filed 7/21/11 states the Administrator executed a new listing agreement for sale of the sole asset of the estate, real property located in Coalinga. The listing price is \$120,000.00 and the agreement is effective from July 15, 2011, through January 31, 2012. The Administrator is not yet in a position to file a petition for final distribution. The Administrator estimates that it will take approximately six months to sell the property and close the estate.	Counsel advises the Court that the sole asset of the estate is a small house in Coalinga. He further advises that his client is having trouble contacting the holder.
Verified	Status Report filed on 3/28/12 states the original appraisal value of the property was \$225,000.00. The property has been listed for sale at \$120,000.00. An offer to purchase the property at \$50,000.00 was made on 8/29/11. This offer is \$70,000.00 below the listing price. The Administrator's cousin has expressed an interest in purchasing the property for \$70,000.00. Administrator is in discussions with her cousin for this purpose. The family member is no longer interested in purchasing the property for \$70,000.00 Administrator estimates that it will take approximately an additional 6 months for the residential real estate market to improve in order to find a bona fide purchaser and further to close the estate.	
Inventory	Minute Order dated 04/03/12 set this matter for hearing on 05/01/12 and states: Court orders Mr. McComas to provide a declaration from broker stating how the sale price of property was established.	
PTC	Status Report filed 07/02/12 states: the sole asset of the estate is the decedent's house located at 196 E. Cherry Lane in Coalinga. The property has been listed for sale and an offer has been accepted by the Administrator for \$53,600.00. Escrow has been initiated and is expected to close within the next ten (10) days. The Administrator paid back taxes on the property to avoid a tax sale. Further delaying the close of escrow is the title company's pending receipt of information on a deed of trust recorded against the property in favor of the SBA. A notice of proposed action has been sent to all interested parties and no one objected to the sale. The CA Dept. of Health filed a claim against the property in the amount of \$65,922.32. The claim will only be partially satisfied when the proceeds from the sale are distributed. The Administrator won't be in a position to file a petition to close the estate until escrow closes on the sale of the property. It is estimated that it will take no more than one month to close escrow and prepare and file a petition for final distribution. The estate is expected to be insolvent.	Reviewed by: JF
Not.Cred.	Minute Order from 07/10/12 hearing states: Counsel advises the Court that he believes there is a recorded deed of trust. Counsel requests a continuance.	Reviewed on: 10/30/12
Notice of Hrg	Notice of Proposed Action filed 08/21/12 re the sale of the Cherry Lane property for \$60,000.00.	Updates: 10/31/12
Aff.Mail	Continued on Page 2	Recommendation:
Aff.Pub.		File 13 - Diaz
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
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UCCJEA		
Citation		
FTB Notice		

Updated Status Report filed 08/31/12 states: The sole asset of the estate is the decedent's residence located at 196 E. Cherry Lane, Coalinga. The property is listed for sale and several offers have been made. An offer from Gustavo Maciel for \$60,000.00 has been accepted with a 60 day escrow and is expected to close on 10/11/12. Delaying escrow is a deed of trust recorded against the property in favor of the SBA on 11/30/83 for \$50,000.00 which has not been reconveyed. The Administrator is trying to locate a successor of the original mortgage and any and all information concerning final payment on the balance of the loan since no reconveyance has been located or recorded. The Administrator has looked into obtaining a lost note bond, but because the Administrator cannot find proof of paying off the note, the premium is \$4,000.00. Administrator is searching for information to allow escrow to close. A notice of proposed action was sent to all beneficiaries on 08/21/12 and no one has objected to the sale of the property. The CA Dept. of Health has filed a claim against the estate in the amount of \$65,922.32. This lien will be partially satisfied when proceeds from the sale of the house are distributed. Until escrow closes on the real property, the Administrator will not be in a position to file a petition for final distribution in this matter. The attorney's for Administrator estimate that escrow will close in 6-8 weeks and a petition for final distribution will be filed after then. The estate is insolvent.

Update to Status Report filed 10/29/12 states: Escrow is due to close on the real property of the estate the week prior to November 5, 2012. A Notice of Proposed Action was sent to all interested parties and no objections have been made. The property is being sold for \$60,000.00. The I & A on file reflects a value of \$225,000.00; however, the property is in poor condition and the market value has declined with the economic downturn. Petitioner will be in a position to file a petition for final distribution in this matter as soon as escrow closes. It is estimated that it will take approximately 2 – 3 weeks to prepare to close this estate.

Status Hearing Re: Filing of Receipts for Blocked Accounts

Age:		NEEDS/PROBLEMS/COMMENTS: <div style="text-align: center;"> <u>OFF CALENDAR</u> Receipts filed 10/05/12 </div>
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Cont. from		
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<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: JF Reviewed on: 10/31/12 Updates: Recommendation: File 14 - Arant

15 Hendrix Escoto, Camryn Escoto and Carlos Escoto, III (GUARD/P)

Atty Stegall, Nancy J. (for Lynda Lockwood – Guardian)

Atty Escoto, Laura L. (pro per – mother/Petitioner)

Petition for Visitation

Hendrix, 10		LAURA ESCOTO , mother is Petitioner. LYNDA LOCKWOOD , maternal grandmother, was appointed guardian of the minors and Letters were issued on 04/26/12. – Served by mail on 10/06/12. Father: CARLOS ESCOTO Paternal grandfather: CARLOS ESCOTO Paternal grandmother: NORA ESCOTO Maternal grandfather: MARK BUIK Petitioner requests unsupervised visitation every weekend commencing Fridays at 3:00 pm and concluding Sunday at 6:00 pm. The visits will take place at the paternal grandparents house. Petitioner also requests unsupervised visitation on the children's birthdays and every holiday. Petitioner further requests educational rights to attend sporting events, holiday programs/band performances, etc. She also requests reasonable phone calls to the minors on a daily basis. Petitioner states that she would also like to start family counseling to help aid in the family reunification process. Declaration of Nora Escoto, paternal grandmother, filed 10/16/12 states: she is no longer providing supervision for visitation with the father as of the end of July 2012. She states that she would like to provide her home for her Petitioner and her grandchildren to spend weekends together. <div style="text-align: center;">CONTINUED ON PAGE 2</div>	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Visitation</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for: - Carlos Escoto (father) - Carlos Escoto (paternal grandfather) - Nora Escoto (paternal grandmother) - Mark Buik (maternal grandfather)
Camryn, 8			
Carlos, 6			
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Reviewed by: JF

Reviewed on: 11/01/12

Updates:

Recommendation:

File 15 - Escoto

15 Hendrix Escoto, Camryn Escoto and Carlos Escoto, III (GUARD/P)

Page 2

Response of Guardian to Laura Escoto's Request to Modify Visitation filed 10/31/12 states: the current court order is that Laura may visit in the guardians home on alternating Sundays commencing at 10:00 am and ending at 4:00 pm. The current order was executed when Laura was enrolled in an inpatient drug rehab at Spirit of Woman. Laura was not allowed to leave the facility, so guardian brought the children to visit her at the facility. Laura had Sunday visitation because the children's father, Carlos, was to have supervised visits with his parents (paternal grandparents) on alternating Saturdays. Carlos and Laura cannot visit simultaneously because Laura is protected from Carlos by a domestic violence restraining order that doesn't expire until 06/01/14. As a condition of visiting, both Carlos and Laura were to submit to a drug test 3 days before each visitation.

After completing the 90 day program, Laura renewed her enrollment for an additional 30 days to make it a 120 day program; however, Laura left Spirit of Woman without completing the additional program she pledged to complete. Shortly after leaving Spirit of Woman, Laura enrolled herself in an out-patient transitional sober living facility called Lifehouse, however she left Lifehouse within 1 month. Laura continued alternating Sunday visitation in Respondent's home and continued to submit to a drug test prior to visiting. Laura never returned to either Spirit of Woman or Lifehouse and is currently homeless.

On 05/17/12, Carlos (father), tested positive for meth, thus the guardian suspended his visitation pursuant to the court order. Since suspending Carlos' visitation, Respondent has been harassed by Laura, Carlos, and Carlos' parents regarding visitation. Although Laura has a restraining order against Carlos, they communicate regularly. Carlos has always lived with his parents. In the past, when the children have visited with their paternal grandparents, the grandparents let Carlos visit with the children unsupervised and even let them leave their home with Carlos, which is unacceptable.

After Carlos' visitation was suspended due to his drug use, he and his parents have shown up at the school when Hendrix had a soccer game. Respondent states that Carlos' father, Carlos, Sr. verbally assaulted her on one occasion and on another occasion, after having been warned by the school to stay away, they showed up again and the school called the police which resulted in a huge scene and Carlos being arrested. It is not in the best interest of the children to witness these incidents.

On October 2, 2012, Laura advised that she was working and could not visit the children on Sunday and requested to visit the children on Wednesday 10/03/12 instead. Respondent agreed so long as Laura could drug test before visiting. Laura made excuses for why she could not drug test before visiting, respondent states that she tried accommodating Laura to drug test offering to drive her to the drug testing sight or use a home test, but Laura refused. Respondent fears that Laura is using drugs again and did not want to test because of the possibility of a positive drug test.

Respondent states that the guardianship has been very difficult for her. She stepped in and obtained guardianship due to the parents drug use and instability. She believes that the children would have been taken by CPS had she not sought guardianship. Since becoming guardian, she has been verbally assaulted by the paternal grandparents, has had to deal with the police due to Carlos being at the school, and rearranging her schedule to accommodate visitation for Laura has been difficult. Respondent also has 3 other children in her home to care for and she is the caretaker for a medically challenged child who requires 24 hour care. Respondent states that she is willing to continue to act as guardian but she needs help from the Court and definite rules in place to make things easier.

Continued on Page 3

When the children were visiting both parents and the paternal grandparents every weekend, they would return to Respondents home with bad attitudes and were tough to control. The parents and paternal grandparents rules are much more liberal than Respondents. The children don't understand why they can't live with their parents or paternal grandparents and it is difficult for them adjusting to living in Respondents household after visiting over the weekends. Respondent states that she ensures that the children do their homework, eat meals as a family, and respect people. The parents and paternal grandparents give the children much more freedom and even allow them to walk by themselves to the mall close to the paternal grandparents home, it is often difficult for them to readjust to a more strict home.

Further, Laura remains homeless and unstable. She did not complete her drug rehabilitation and Respondent believes she is using drugs again. Based on past behavior, Laura's suicide attempts and drug use, Respondent believes the safety of the children is still an important issue. Respondent is uncomfortable with the paternal grandparents providing their home for visitation due to the fact that they have facilitated Carlos interacting with the children in violation of the Court's prohibition. Respondent asks the Courts assistance in setting definite boundaries regarding guardianship and the visitation schedule with Laura. Respondent states that she has tried to accommodate Laura, but believes with her drug addiction, she needs continued supervision. Respondent realizes that Carlos has not asked to modify his visitation yet, but by Laura requesting that her visitation take place at the paternal grandparents home, indirectly the paternal family is involved in this petition. Respondent asks that the Court review the best interests of the children and assist her in making this guardianship work.

Based on the foregoing, Respondent asks the court:

1. Consider the proposed visitation schedule as follows which provides reasonable orders not including overnight visits at this time, but allows Laura to visit with the children on alternating Saturdays from 10:00 am – 5:00 pm and alternating Sundays from 10:00 am to 5:00 pm.
2. Require Laura to submit to a witnessed drug screen on each Friday immediately preceding the Saturday visitation. The drug test shall be faxed directly to Respondent and if the drug screen is positive, visitation shall be suspended pending further order of the Court.

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 9 years		Temporary Expires on 11/5/12	NEEDS/PROBLEMS/COMMENTS:
		FERNIE VELEZ, maternal great uncle, is petitioner.	1. Need UCCJEA
Cont. from 080612		Father: UNKNOWN – Due diligence found per minute order dated 8/6/12.	
	Aff.Sub.Wit.		
✓	Verified	Mother: VICTORIA TREVINO	
	Inventory		
	PTC	Paternal grandparents: Unknown Maternal grandfather: Marcos Sotelo Maternal grandmother: Susan Hernandez – consents and waives notice.	
	Not.Cred.		
	Notice of Hrg	N/A	
	Aff.Mail		
	Aff.Pub.	Petitioner states the minor presently has guardians who were appointed in Marin County. The minor was sent to the Petitioner on 4/1/12 by the guardians who claimed they could not handle him. The minor has no place else to go. His mother lives in Arizona and his father was deported to Mexico.	
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections	Court Investigator Charlotte Bien's Report filed on 7/24/12 states it appears appropriate and in the minor's best interest to remain in the care of his great uncle, Fernie Velez, in the county of Fresno. However, there is currently no vacancy in guardianship that would allow Fresno Court to grant a successor guardianship. It is recommended that the court consider granting Mr. Velez' petition for successor guardianship once the current guardianship is terminated. (Note: CI contacted the court in Marin County and was informed that the Marin Court terminated the guardianship on 9/24/12.)	
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: KT
Reviewed on: 10/31/12
Updates:
Recommendation:
File 16 - Hernandez

Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)

Jizelle, age 4		<p align="center">GENERAL HEARING 1-2-13</p> <p>SANDRA FONSECA, Paternal Grandmother, is Petitioner.</p> <p>Father: JAMES R. DENINGTON Mother: DENISE CARRASCO Paternal Grandfather: James Denington Maternal Grandfather: Feliciano Carrasco Maternal Grandmother: Maria Garcia</p> <p>Petitioner states Jizelle is exposed to violence by her mother. Denise has shaken, slapped, jerked and choked Jizelle. Jizelle is exposed to unstable persons when left by Denise with her mother Maria Garcia. Jizelle is exposed to sexual activities when in the care of her mother and grandmother. Jizelle is exposed to life with a convicted felon – Rudy – who is the boyfriend of Maria Garcia. Petitioner states Jizelle currently resides with Maria Garcia, who has had one of her children removed due to drug use, and currently has two children living with her. Their father Rudy is a convicted felon with a history of instability. Petitioner states that she was previously advised that she shouldn't add Jizelle to her original guardianship petition for Kaylee because since Jizelle has resided with the maternal grandmother for most of her life, it would be difficult to establish a case.</p> <p>Petitioner's attached declaration contains information from the Court Investigator's report previously filed in connection with the guardianship petition for Kaylee, including reference to conversations between the children and the Court Investigator. Petitioner states the mother is currently pregnant with her third child and Petitioner fears Jizelle will be subjected to more of Denise's violent temper once the baby arrives. Petitioner will seek the Court required Denise to attend anger management classes and parenting classes prior to the return of Jizelle Denington.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> This petition pertains to Jizelle only. Sandra Fonseca (Petitioner) was appointed Guardian of Kaylee (5) on 9-27-12.</p> <p><u>Note:</u> At hearing on 10-24-12, the parties agreed to mediation in connection with a visitation petition for Kaylee. An agreement was reached and has been submitted to the Court. At this time, the agreement is under review.</p> <p>Examiner notes that one of the terms of the agreement is that Petitioner will withdraw this petition for guardianship of Jizelle. However, no dismissal has been requested.</p> <p><u>If this matter goes forward:</u></p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the temporary petition at least five Court days prior to the hearing pursuant to Probate Code §2250(e) on: <ul style="list-style-type: none"> - James R. Denington (Father) - Denise Carrasco (Mother) 	
Kaylee, age 5				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			

18 Miracle Puentes, Jonathan Puentes and Erik Puentes (GUARD/P) Case No.12CEPR00788

Atty Puentes, Johnny C. (pro per – paternal grandfather/Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Miracle, 7		<p align="center">NO TEMPORARY IN PLACE; TEMPORARY DENIED ON 09/17/12</p> <p>JOHNNY C. PUENTES, paternal grandfather, is Petitioner.</p> <p>Father: CHRISTOPHER PUENTES</p> <p>Mother: ROSALINDA TORRES – Served by mail on 09/25/12 & Declaration of Due Diligence filed on 09/26/12</p> <p>Paternal grandmother: SHARON PUENTES – personally served re temporary petition on 09/06/12</p> <p>Maternal grandfather: ALBERT TORRES - personally served re temporary petition on 09/06/12</p> <p>Maternal grandmother: ROSIE PERIDA – served by mail on 09/25/12</p> <p>Siblings: SERGIO CANTU (16) , PRECIOUS CANTU (15), ANGEL CANTU (10)</p> <p>Petitioner alleges that guardianship is needed because the mother is not taking care of the children properly. CPS is investigating the mother. The father's whereabouts are unknown.</p> <p>Court Investigator Jennifer Daniel filed a report on 10/25/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need proof of <u>personal</u> service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> - Christopher Puentes (father) – Proof of personal service was filed regarding the Temporary Petition on 09/14/12 - Rosalinda Torres (mother) – unless diligence is found. Declaration of Due Diligence filed 09/26/12 states that no one answers the door at mother's home even though people are heard inside. Notice was mailed to mother on 09/25/12. 2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> - Sharon Puentes (paternal grandmother) - Albert Torres (maternal grandfather) - Sergio Cantu (brother) - Precious Cantu (sister) 	
Erik, 2				
Jonathan, 5				
Cont. from				
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<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Reviewed by: JF
Reviewed on: 11/01/12
Updates:
Recommendation:
File 18 - Puentes

Pro Per Schapansky, Janice (Pro Per Petitioner, paternal aunt)
 Pro Per Schapansky, David (Pro Per Petitioner, paternal uncle)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 1 year		<p align="center">NO TEMPORARY REQUESTED</p> <p>JANICE SCHAPANSKY and DAVID SCHAPANSKY, paternal aunt and uncle, are Petitioners.</p> <p>Father: TROY KANAWYER; <i>consents and waives notice.</i></p> <p>Mother: TIFFANY RENEE VAUGHAN; <i>consents and waives notice.</i></p> <p>Paternal grandfather: Greg Kanawyer, <i>sent notice by mail 10/2/2012.</i></p> <p>Paternal grandmother: Teresa Kanawyer, <i>sent notice by mail 10/2/2012.</i></p> <p>Maternal grandfather: <i>Deceased.</i></p> <p>Maternal grandmother: <i>Deceased.</i></p> <p>Petitioners state the child's father is currently in rehabilitation for drug addiction to crack, and the child's mother is also an abuser of crack and marijuana. Petitioners state both of the parents are homeless, and neither of them works nor do they have valid driver's licenses. Petitioners state neither parent is fit emotionally, physically or financially to provide for the care and needs of the child. Petitioners state the child's mother has no parent support as both of her parents are deceased, and the mother and the child came to live with Petitioners in January 2012. Petitioners state they attempted to help the mother with her court issues, such as attending DUI classes and trying to get her driver's license back; however, in mid-February, the mother left their home without the child for about 5 days and did not tell Petitioners where she was going, nor did she ever inform them that she was not returning.</p> <p>Court Investigator Jo Ann Morris' Report was filed on 10/30/2012.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
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Reviewed by: LEG

Reviewed on: 10/31/12

Updates:

Recommendation:

File 19 - Kanawyer